

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PE16519PC00	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/SE2002/001225	International filing date (day/month/year) 19-06-2002	Priority date (day/month/year) ---
International Patent Classification (IPC) or national classification and IPC G06F 13/10		
Applicant TELFONAKTIEBOLAGET L M ERICSSON ET AL		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:

- a. (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

- b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))
 _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand 14-01-2004	Date of completion of this report 14-09-2004
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer Patrik Rydman /LR Telephone No. +46 8 782 25 00

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2002/001225

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

international search (under Rules 12.3 and 23.1(b))
 publication of the international application (under Rule 12.4)
 international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

the international application as originally filed/furnished

the description:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

the claims:

pages _____ as originally filed/furnished

pages* _____ as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

the drawings:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

the description, pages _____
 the claims, Nos. _____
 the drawings, sheets/figs _____
 the sequence listing (specify): _____
 any table(s) related to the sequence listing (specify): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____
 the claims, Nos. _____
 the drawings, sheets/figs _____
 the sequence listing (specify): _____
 any table(s) related to the sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2002/001225

Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	<u>1-29</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>1-29</u>	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	<u>1-29</u>	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70.7)

The claimed invention relates to network device driver architecture.

The problem to be solved by the claimed invention is the low performance caused by message copying between user space and kernel space, polluted cache, interrupts and non-optimized code.

The following documents (D) were cited in the International Search Report:

D1: PRATT I. ET AL.: 'Arsenic: a user-accessible gigabit Ethernet interface' INFOCOM 2001. TWENTIETH ANNUAL JOINT CONFERENCE OF THE IEEE COMPUTER AND COMMUNICATIONS SOCIETIES. PROCEEDINGS. IEEE vol. 1, 2001, pages 67 - 76

D2: WO, 9939254, A2

D3: Parallel Processing Symposium, 1996., Proceedings of IPPS '96, The 10th International, 15.19 April 1996, Dubnicki, C. et al: "Software support for virtual memory-mapped communication", page 372- page 382

D4: Micro, IEEE, Volume: 18, Issue: 2, Mars/April 1998, Dunning, D. et al: "Virtual Interface Architecture", page 66- page 76

Document D1, which is considered to represent the most relevant state of the art, discloses (cf. chapter III and figure 1) a network interface system enabling access between operating system kernel space and an NIC as well as between user space and said NIC.

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Document D2 discloses (cf. page 6, line 3- page 10, line 19 and figure 2) a software architecture comprising a system interface driver (34) enabling access between a supervisor mode (28) (where the operating system kernel resides) and a user mode (26), and a device driver (48) enabling direct

The cited documents represent the general state of the art.

The invention defined in claims 1-29. is not disclosed by any of these documents.

The cited prior art does not give any indication that would lead a person skilled in the art to the claimed network device driver architecture or the claimed system and method for enabling operating system kernel space access and user space access to a NIC.

Therefore, the claimed invention is not obvious to a person skilled in the art.

Accordingly, the invention defined in claims 1-29 is novel and is considered to involve an inventive step. The invention is industrially applicable.